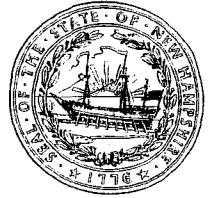




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

October 31, 2005

Mr. Dan Paradis
37 Sherwood Drive
Hooksett, New Hampshire 03106

CERTIFIED MAIL (7099 3400 0018 1290 0885)
RETURN RECEIPT REQUESTED
NOTICE OF PAST VIOLATION

RE: Non-Conforming Open Burning

Dear Mr. Paradis:

On December 28, 2004, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") was notified by Harold Murray, the Hooksett Forest Fire Warden, that non-conforming materials had been burned at 37 Sherwood Drive, Hooksett, New Hampshire (the "Property"). Fire Warden Murray reported that you were burning without a burn permit and that material, including plywood, painted boards and pressure treated wood, had been burned.

On December 30, 2004, DES personnel met with you and conducted an inspection at the Property in order to determine conformance with the N.H. Code of Administrative Rules, Env-A 100 *et seq.*, specifically, Env-A 1000, *Prevention, Abatement, and Control of Open Source Air Pollution* and RSA 125-C. During the inspection, DES personnel observed and photographed charred plywood, charred painted wood, and charred stained wood in the burn pile on the Property. As a result of the inspection and information gathered, DES has determined that violations occurred.

During the inspection on December 30, 2004, you told the DES inspector that you had a bonfire at the Property on December 25, 2004, and that you had burned all the Christmas wrapping paper and cardboard from the gifts that were opened earlier that day.

The purpose of this letter is to notify you of the violations discovered, as well as the requirements surrounding open burning, so that you can prevent future violations. The specific violations are as follows:

- Env-A 1001.06 provides that residential open burning of combustible waste shall be prohibited.
- Env-A 1001.04 states open burning in any part of the state shall be permissible only when the burning: Is authorized by an official having jurisdiction over open burning, whenever authorization is required; and includes only materials burned in conformance with this part.

Since the burning of non-conforming materials has ceased, DES believes that no further action is required at this time in response to the listed violations. However, in the event that additional violations are identified, DES may take action, including issuing an administrative order, seeking administrative fine, and/or referring this matter to the New Hampshire Department of Justice for civil and/or criminal penalties.

If you believe that DES has cited these violations in error, or have questions regarding these matters, please contact Barbara Hoffman at (603) 271-7874, Air Resources Division, Compliance Bureau. A current copy of the Air Resource Division rules can be obtained from the DES website at <http://www.des.nh.gov/rules/air.htm> or by contacting the Public Information Center at (603) 271-2975.

Sincerely,

A handwritten signature in black ink is written over the word "COPY", which is also written in large, bold, capital letters. The signature appears to be "P. Monroe".

Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/asb

Enc.: Env-A 1001 *Open Burning*

cc: R. Kurowski, EPA Region 1
G. Hamel, Legal Unit Administrator
B. Simpkins, DRED Chief Forest Protection Bureau
H. Murray, Hooksett Forest Fire Warden
Chair, Hooksett Town Council